



THE CITY OF SAN DIEGO
REPORT TO THE CITY COUNCIL

DATE ISSUED: May 11, 2011 REPORT NO: 11-061(REV)

ATTENTION: Rules, Open Government and Intergovernmental Relations Committee

SUBJECT: Permanent Rules of Council and other Council Policy Revisions

REFERENCE: Municipal Code Section 22.0101: Permanent Rules of Council; Council Policy 000-05; Council Policy 000-06; City Attorney Report dated March 3, 2011; Municipal Code Section 22.2101: Council Administration Division;

REQUESTED ACTION:

- 1) Approve revisions to Municipal Code Section 22.0101: Permanent Rules of Council
- 2) Approve revisions to Council Policy 000-05: Coordination of City Council Meeting
- 3) Approve revisions to Council Policy 000-06: Reconsideration of Closed Hearings
- 4) Approve revisions to Municipal Code Section 22.2101: Council Administration Division

STAFF RECOMMENDATION:

Approve recommended revisions to the requested Municipal Code Sections and Council Policies for clarification purposes and greater meeting efficiency.

SUMMARY:

Charter Section 14 states that, "The Council shall determine its own rules and order of business" to that end San Diego Municipal Code Section 22.0101: Permanent Rules of Council outlines the Rules of the Council and the proper legal procedure and protocol to conduct the business of the City Council as well as that of the Council Committees and Closed Session Meetings.

In February 2011 Council President Young created a Working Group composed of the Assistant City Attorney, the City Clerk, and the Director of Legislative Affairs. This Working Group was created to comprehensively review the Permanent Rules of Council as well as other Council Policies that affect the business of the Council. Recognizing the current practices of the Council with an eye towards efficiency and transparency the working group suggests the following revisions and clarifications:

PERMANENT RULES OF COUNCIL

RULE 2.2: Agenda

- Added City Clerk to "Communications."
- Added a section: "Proclamations."
- Added a section: "Report out from Closed Session."

RULE 2.3.1: Special Orders Of Business

- Clarified the intent for Special Orders of Business.

RULE 2.9.2: Committee Referral

- Referral to Committee may be done by any Councilmember, subject to a vote of the Council majority or by unanimous consent.

RULE 2.10: Procedure For Debate

- Format change to allow for public testimony prior to Council question and comment period:

Previous Procedure:

1. Staff Report
2. Statements by IBA, City Attorney, and City Auditor
3. Council Questions
4. Public Testimony
5. Council Comments

Proposed Procedure:

1. Staff Report
2. Statements by IBA, City Attorney, and City Auditor
3. Public Comment
4. Council Questions & Comments

RULE 2.11.1: Procedure For Reconsideration

- Clarified the Reconsideration process.

RULE 6.7.3: Duties of Committee Chairs

- Addition of the Committee Consultant's Assistant as the responsible party for receiving the Committee agendas to reflect the current practice.

RULE 6.9.1: Committee Hearings on Resolutions and Ordinance

- Revised the Committee recommendation options to follow current practice.

RULE 6.11.2(b): Committee on Land Use and Housing

- Added Lease Agreements to committee review. Currently lease agreements are not under the purview of any committee.

RULE 8.1: Noticing and Conduct of Closed Session

- Strike out all language after Rule 8.1 (c) and refer to the Brown Act: California Government Code Section 54956.9 (a).

Clean-Up Language

- President instead of Chair, Request for Council Action instead of Form 1472, etc...

COUNCIL POLICY 000-05: Coordination of Special City Council Meeting

Revised and updated designees and responsibilities for the coordination of Special City Council Meetings to be consistent with the adopted Strong Mayor-Strong Council Form of Government.

Key changes include replacing "Mayor" with "Council President" and "Rules Committee Consultant" with "Director of Legislative Affairs".

COUNCIL POLICY 000-06: Reconsideration of Noticed Public Hearings

Clarified and harmonized the reconsideration process to reflect changes proposed in the Permanent Rules of Council.

MUNICIPAL CODE SECTION 22.2101: Council Administration Division

Revised the code to make it consistent with the current practice under the Strong Mayor-Strong Council form of Government. The City Attorney's March 3, 2011 Report has outlined these revisions.

FISCAL CONSIDERATIONS:

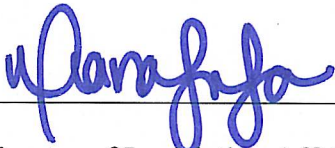
None.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

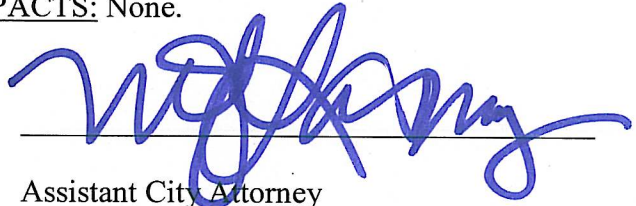
This item will be heard at the Rules, Open Government and Intergovernmental Relations Committee on May 18, 2011.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: None.

KEY STAKEHOLDERS AND PROJECTED IMPACTS: None.



Director of Legislative Affairs



Assistant City Attorney



City Clerk

Attachments(s):

1. Municipal Code Section 22.0101:Permanent Rules of Council Strike-Out
2. DRAFT O-2011-XX
3. Council Policy 000-05 Strike-Out
4. DRAFT R-2011-XX
5. Council Policy 000-06 Strike-Out
6. DRAFT R-2011-XX
7. March 3, 2011City Attorney Report
8. DRAFT O-2011-103
9. Strike-Out O-2011-103